STEVEN W. MYHRE 1 Acting United States Attorney District of Nevada 2 Nevada Bar No. 9635 NADIA J. AHMED 3 DANIEL R. SCHIESS Assistant United States Attorneys ERIN M. CREEGAN Special Assistant United States Attorney 501 Las Vegas Blvd. South, Suite 1100 5 Las Vegas, Nevada 89101 (702) 388-6336 6 steven.myhre@usdoj.gov nadia.ahmed@usdoj.gov 7 erin.creegan@usdoj.gov dan.schiess@usdoi.gov 8 Representing the United States of America 9 UNITED STATES DISTRICT COURT 10 DISTRICT OF NEVADA 11 UNITED STATES OF AMERICA, 12 2:16-CR-00046-GMN-PAL Plaintiff, 13 GOVERNMENT'S MOTION TO STRIKE **DEFENDANT RYAN** v. 14 **BUNDY'S "AFFIDAVIT OF TRUTH AND** URGENT RYAN C. BUNDY, NOTICE: 15 CHALLENGE OF JURISDICTION AND DEMAND FOR RELEASE / Defendant. 16 **OFFER** TO CONTRACT NOT ACCEPTED" (ECF No. 2529) 17 18 CERTIFICATION: This Motion is timely filed. 19 The United States, by and through the undersigned, respectfully submits this 20 Motion to Strike Defendant Ryan Bundy's "Affidavit of Truth and Urgent Notice: 21 Challenge of Jurisdiction and Demand for Release / Offer to Contract Not Accepted" 22 (ECF No. 2529). 23 24

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The Defendant has filed numerous motions challenging jurisdiction and his detention in this case that have been considered and decided. He has more recently filed several "affidavits" regarding jurisdiction and demanding release without providing any cognizable legal or factual basis to do so. See ECF No. 2309, 2474, 2529. The Court has stricken ECF Nos. 2309 and 2474 because the deadline has passed for dispositive motions and because these issues have previously been addressed. ECF No. 2525.

Defendant Bundy's "Affidavit of Truth and Urgent Notice," to the extent that it may be deciphered, appears to raise the same issues as the affidavits already stricken by the Court. Accordingly, the government respectfully requests that the Court strike this affidavit as well on the same bases.

Alternatively, to the extent the affidavit seeks relief from the Court, the government respectfully requests that the Court deny any relief sought because the affidavit presents nothing new that the Court has not already considered and provides no basis for relief.

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1 WHEREFORE, for all the foregoing reasons, the government respectfully 2 requests that the Court grant this motion and strike Defendant Bundy's "Affidavit 3 of Truth and Urgent Notice: Challenge of Jurisdiction and Demand for Release / 4 Offer to Contract Not Accepted" (ECF No. 2529), or in the alternative, deny the 5 relief sought. 6 **DATED** this 10<sup>th</sup> day of October, 2017. 7 Respectfully, 8 STEVEN W. MYHRE 9 Acting United States Attorney 10 /s/ Steven W. Myhre 11 NADIA J. AHMED 12 DANIEL R. SCHIESS Assistant United States Attorneys 13 ERIN M. CREEGAN Special Assistant United States Attorney 14 Attorneys for the United States 15 16 17 18 19 20 21 22 23 24

## **CERTIFICATE OF SERVICE**

I certify that I am an employee of the United States Attorney's Office. A copy of the foregoing MOTION TO STRIKE DEFENDANT RYAN C. BUNDY'S "AFFIDAVIT OF TRUTH AND URGENT NOTICE: CHALLENGE OF JURISDICTION AND DEMAND FOR RELEASE / OFFER TO CONTRACT NOT ACCEPTED" (ECF No. 2529) was served upon counsel of record, via Electronic Case Filing (ECF).

**DATED** this 10<sup>th</sup> day of October, 2017.

/s/ Steven W. Myhre

STEVEN W. MYHRE Acting United States Attorney